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13
14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA,) NO. 10-CR-455 WHA
18 Plaintiff,)
19 v.) UNITED STATES' MOTION TO SEAL
20 MARCEL DARON KING,) DECLARATION AND [PROPOSED] ORDER
21 Defendant.) Date: September 8, 2016
22) Time: 12:00 p.m.
23) Court: Hon. William Alsup
24)
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28)

1 During a hearing on July 13, 2016, the Court asked the government to submit a statement by the
2 victim in this case, made under oath, regarding her fear of testifying. The Court subsequently issued an
3 Order on the same day asking the government to submit such a statement by August 11, 2016. [Dkt. No.
4 205.] The government has obtained such a declaration from the victim. In order to protect the victim's
5 privacy interests, the United States requests leave from the Court to file the declaration under seal
6 pursuant to Title 18, United States Code, Section 3509(d). Although Section 3509(d)(2) allows for the
7 filing of the declaration under seal without necessity of obtaining a court order, the government is
8 making the instant request out of an abundance of caution.

9 Accordingly, the United States hereby requests leave to file the declaration of the victim
10 regarding her fear of testifying under seal.

11 Respectfully submitted,

12 Dated: August 11, 2016

13 BRIAN J. STRETCH
United States Attorney

14 _____/s/_____
15 CLAUDIA A. QUIROZ
16 Assistant United States Attorney

1 **PROPOSED ORDER**

2 Upon the motion of the United States, and good cause appearing, IT IS HEREBY ORDERED
3 THAT the Clerk of the Court file the declaration of the victim under seal and maintain the documents
4 under seal until further notice from this Court.

5 IT IS SO ORDERED.

6 DATED: August 12, 2016.

7 
8 HON. WILLIAM ALSUP
United States District Court Judge